IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 14TH FEBRUARY 2007 / 25TH MAGHA 1928

RP.No. 111 OF 2007(S)

AGAINST THE JUDGEMENT IN WPC.23370/2006 DATED 11/12/2006
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REVIEW PETITIONER/3RD RESPONDENT

V.S.DILEEP KUMAR,
VAYAKKATTIL HOUSE, ENGANDIYOOR P.O., THRISSUR DISTRICT.

BY ADV. SRI.T.P.KELU NAMBIAR (SR.)
SRI.M.V.BOSE
SRI.VINOD MADHAVAN
SMT.NISHA BOSE

RESPONDENTS: PETITIONER AND RESPONDENTS 1 AND 2

1. HUMAN RIGHTS DEFENCE FORUM (REGD),
REPRESENTED BY ITS GENERAL SECRETARY,
ADV.D.B.BINU, AGED 35 YEARS, S/O.LATE BHASKARAN,
I.S.PRESS ROAD, ERNAKULAM, COCHIN-18

2. THE SECRETARY,
MINISTRY OF ROAD TRANSPORT & HIGHWAYS,
PARIAVARAN BHAVAN, IST PARLIAMENT STREET,
NEW DELHI- 110 001.

3. THE CHIEF ENGINEER,
NATIONAL HIGHWAY, P.W.D.,
THIRUVANANTHAPURAM.

BY ADV. SRI.P.K.IBRAHIM
GOVERNMENT PLEADER
SRI.JOHN VARGHESE, ASSISTANT SG

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 14/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

P.R. RAMAN & C.N. RAMACHANDRAN NAIR, JJ.

R.P. NO. 111/2007 IN W.P.(C) 23370/2006

DATED THIS, THE 14TH DAY OF FEBRUARY, 2007.

O R D E R

Raman, J.

This is an application for review of the judgment dated 11.12.2006 in W.P.(C) 23370/2006.

2. The prime contention raised in this review petition is that though the review petitioner was arrayed as third respondent in the writ petition, no notice was issued to him and as such he had no opportunity to place on record his contentions. We have gone through the records and find that the third respondent was not issued with any notice and the writ petition was disposed of after hearing respondents 1 and 2 alone.

3. In such circumstances, we allow this review petition and set aside the judgment in W.P.(C) No. 23370/2006. Since the review petition has been allowed, fresh notice on the writ petition to the third respondent is dispensed with. If any additional pleadings are to be made by the parties, they are free to do so.

Post the writ petition for re-hearing before appropriate Bench as per roaster, after two weeks.

P.R. RAMAN,
(JUDGE)

C.N. RAMACHANDRAN NAIR,
(JUDGE)

knc/-